IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.GIRI

THURSDAY, THE 29TH NOVEMBER 2007 / 8TH AGRAHAYANA 1929

WP(C).No. 35365 of 2007(I)

PETITIONERS:
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1. **THOMAS MATHEW, JUNIOR HEALTH INSPECTOR, GRADE-I, PRIMARY HEALTH CENTRE, EDAVANNA, MALAPPURAM DISTRICT.**

2. **JOHNSON GEORGE, JUNIOR HEALTH INSPECTOR, GRADE-I, PRIMARY HEALTH CENTRE, CHATHALLUR, EDAVANNA, MALAPPURAM DISTRICT.**

BY ADV. SRI.A.K.ALEX
SRI.K.P.SURESH KUMAR

RESPONDENTS:
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1. **DIRECTOR OF HEALTH SERVICES, THIRUVANANTHAPURAM.**

2. **STATE OF KERALA, REPRESENTED BY CHIEF SECRETARY TO GOVT. OF KERALA, SECRETARIAT, THIRUVANANTHAPURAM.**

3. **DISTRICT MEDICAL OFFICER OF HEALTH, KOZHIKODE.**

BY GOVERNMENT PLEADER SRI.BEJOY CHANDRAN

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 29/11/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

V.GIRI, J.

W.P.(C).No.35365 of 2007

Dated this the 29th day of December, 2007.

JUDGMENT

Petitioners are working as Junior Public Health Nurses in the Health Services Department. Their grievances are in relation to the provisional service, which they had rendered prior to the commencement of their regular service. Petitioners submit that Junior Public Health Nurses, advised by the Public Service Commission, were later regularized in service with reference to a date from the commencement of their provisional service. In other words, their date of commencement of regular service related back to the date on which they commenced provisional service. Petitioners refer to Ext.P8 order passed by the Additional Director of Health Services. Learned counsel for the petitioners relies on the judgments of the Supreme Court, Exts. P4 and P5 as also a judgment of this court in W.P.(C)No.547/05 and the judgment of the Full Bench of this Court reported in **State of Kerala v. Ponnamma, {2005(4) KLT 987}**. The claim of the petitioners are raised before the Government as Exts.P6 and P7.

2. Having heard learned counsel for the petitioners and the learned Government Pleader, I direct the first respondent to take a decision on Exts.P6 and P7 within a period of two months from the date of receipt of a copy of this judgment. The first respondent shall take into account the judgments mentioned above; both of the Supreme Court as well as of this Court and any other judgment, which the petitioners may, place before him. The petitioners are at liberty may file an additional representation. The petitioners may be heard before the first respondent takes a decision in this regard.

Writ petition is disposed of as above.

V.GIRI, JUDGE

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